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HERMANN VON HOLST.¹

“ I CAME to the United States as an emigrant, and one of the first things I did was to have my declaration of intending to become a citizen registered in the City Hall of New York. I, in fact, felt with the people of the United States before I commenced to study them and their institutions.” Such is the statement of Professor von Holst in the preface to the first volume of his constitutional history, issued in 1873. Let us consider how far his life and his work during the last seventeen years prove that he feels with and understands the people of the United States.

Hermann Eduard von Holst was born June 19, 1841, under conditions calculated to lead to sympathy with a free people. He was the son of a poor German parson in Livonia. His circumstances were so narrow that his university education was obtained only with great difficulty, first at Dorpat, in his native province, later at Heidelberg, where he took his doctor's degree. In 1866 he became a tutor at St. Petersburg. The publication of a political article caused his exclusion from the Russian dominions, and having resolved to emigrate to America, he arrived in New York as a steerage passenger in 1867.

In America as in Europe he learned to feel with the people through personal privation. At last he got a foot-hold as a teacher of German and as a tutor, and in the campaign of 1868 he made political speeches which attracted attention. He was for some time engaged as an editor of the valuable but little known *Deutsch-Amerikanisches Conversations-Lexicon*. Several Bremen gentlemen about this time combined to offer inducements to some author to prepare an account of the workings of

¹ The Constitutional and Political History of the United States. By Dr. H. von Holst, Professor at the University of Freiburg. Translated from the German by John J. Lalor. [Vol. VI] 1856-1859. Buchanan's Election — End of the Thirty-Fifth Congress. Chicago, Callaghan and Company, 1889. — Large 8vo, 352 pp.

popular government, designed to affect the reorganization of Germany under the new North German Confederation. Von Holst, through the intermediation of von Sybel, was entrusted with the work; but he soon saw that he could not satisfy himself within the limits proposed, and the work thus begun eventually expanded into the *Constitutional History*.

Meanwhile von Holst found himself in a position highly favorable to that scientific study of the history of the United States to which he was eager to devote himself. At the founding of the University of Strasburg after the war of 1870-71, he was called as professor to the new institution. After two years of service he accepted a call to the University of Freiburg. This was then one of the feeblest of the German universities; but it grew steadily and rapidly until it surpassed Heidelberg in numbers. His first volume, published in German in 1873 and in English in 1877, made him known throughout America; and twice, at considerable intervals, urgent calls came to him from Johns Hopkins University. Both times he declined the far higher salary, and he still continues an honored and influential member of the Freiburg staff.

The spirit of von Holst's work and his qualifications for the task he has undertaken may be better understood by a brief account of his position and activity at Freiburg. He lives in an apartment in a handsome house owned by himself as an investment. Just before going to Strasburg he was married to an American lady, a graduate of Vassar College, and English is the usual family language. His domestic life is happy, and he himself avers that he is looked upon as a fanatic because he so vigorously combats the South-German custom of the men leaving their families in the evening and congregating in the *Wirthshäuser*. For many years he has suffered from chronic digestive troubles which keep him much of the time in such pain that ordinary men would feel justified in seeking a hospital. His chief recreation is to spend as much time as possible at his little estate a few miles away, which he professes to call *Ferkelschloss* — "Shote Castle."

As is usually the case in Germany, his duties as a professor

absorb the lesser part of the time. Trained as he was in the school of von Sybel, his interest has always been chiefly in modern history, and especially in its application to present problems. His favorite lecture subjects are the French Revolution, the history of Europe since 1815 and English constitutional history. He never lectures on American history, because, he says, he should have no hearers; but in his seminary he has received a succession of American students, of whom the writer was one in the years 1882-84. As a lecturer he is much more like the French than the German professors: he excels in lucidity, in strength, in analytic power; he introduces apt and often dramatic quotations from sources; and his great reputation in the university and throughout Germany is heightened by his possession of a stirring eloquence.

In fact, although von Holst is a tower of strength to the university, and has recently served his term as Prorektor, his tastes incline him less toward an academic than toward a public life. He is well known as an orator, and is in request for speeches on public occasions. The request is usually without fruit, for he holds to his scientific work with great tenacity. For eight years he has served as a member of the *Herrenhaus*, the upper chamber of the Baden legislature, first by nomination of the Grand Duke, to whose son and heir he was at one time tutor, and later as representative of the University of Freiburg. In the legislature he is a faithful member and he has been much concerned in the legislation of the period. He had long been an opponent of the domestic policy of Bismarck, but he came forward in the elections of 1890 as a candidate of the National Liberal party for the Imperial Diet; the district was hopelessly against his party, and he was defeated. It is easy to see in his public service the reason why he should prefer his position in Freiburg even to the flattering opportunities in an American university.

Neither his professorial nor his legislative duties have been allowed to interfere with what von Holst regards as his great work in life. Year by year the *Constitutional History of the United States* has moved forward till the fifth volume, the sixth

of the translation, has appeared before the public. His unusual qualifications for this great task have already been enumerated: long historical training, great experience of life, five years' residence in the United States, and participation in public affairs. To these may be added two long visits to the United States since his departure. In 1878-79 he spent a year in this country, and in 1884 he was here for several months. For material he has been thrown chiefly on the printed sources in his own excellently chosen library, and on the large collections of the British Museum and the *Bibliothèque Nationale* in Paris. In no part of his field has he followed lines laid down in preceding works: of the later period which he treats he is the first systematic historian. His conclusions are based on the careful study of biographies and memoirs, and especially of the neglected *Congressional Globe* and other government publications. No one who has seen the unwearying patience with which he follows out the tangled threads of debate in the constitutional crises can fail to appreciate the sifting of the material in his work. He says himself that had he possessed the means to employ assistants so as to have used their results, he might perhaps have made a better work; but it would certainly have been very different from the present history, for which the material has all been assembled by one brain. Methodical as most Germans, he far surpasses many of his fellows in intensity of application. His practice is never to put pen to a sentence till it is fully framed; and he often passes an hour motionless in his chair, or walking up and down the floor, till a conclusion is reached and a statement worked out.

Measured by the number of volumes, the twenty years of study have been prolific: six volumes of history, one biography, one treatise, several monographs and sketches. The first to be published was Volume I of the *Constitutional History*, 1873 (in translation, 1877), to which von Holst gave the German title: *Verfassung und Demokratie der Vereinigten Staaten*. It is not strictly speaking a history, but rather a series of connected essays on the genesis of the constitution and its development to 1829. To the next volume, published in 1878, von Holst

himself gave the title: *Verfassungsgeschichte der Vereinigten Staaten, Band I*. It is cast into a closer narrative form, and takes up the far-reaching constitutional changes of Jackson's, Van Buren's and Tyler's administrations. This volume appeared in translation, in 1879, as Volume II of the American edition of the whole work. Volume II of the *Verfassungsgeschichte* (Volume III of the translation), 1881, shows the effect of the constant increase of materials in that it covers but the four years 1846-50; and the slavery question, which receives careful monographic treatment in chapters of the first two volumes, forms the staple of this volume. The next work to appear was the *Calhoun*, in the American Statesmen Series, 1883; the slavery question is here grouped about the political life of the champion of slavery in Congress, whose singular and contradictory character has aroused the sympathetic interest of the author. In 1884 Volume III (1850-56) appeared (translated, 1885, as Volumes IV and V of the American edition); and in 1885 the *Staatsrecht* (translated¹ in 1887), which has been reviewed in a previous number of this journal.² In 1888 came Volume IV, Part I, of the German edition, translated in 1889 as Volume VI of the American edition. This covers the period 1856-59, and with the exception of a sketch of John Brown, which may be considered an advance sheet from the next volume, is the last important work from von Holst's pen. The forthcoming Volume IV, Part II (Volume VII of the translation), is practically ready for the press and will bring the story down to the outbreak of Secession. Here the formal work will stop for the present; but after a vacation in America the author proposes to review the whole field in a brief narrative and constitutional history, which will sum up his conclusions in a more popular form.

Volume VI of the American edition, which now lies before us, is so closely connected with the author's other writings that a criticism upon it is necessarily a criticism of his whole method. It may therefore be treated as an example rather than as an inde-

¹ H. von Holst, *The Constitutional Law of the United States of America*. Translated by Alfred Bishop Mason. Chicago, Callaghan and Co., 1887.

² POLITICAL SCIENCE QUARTERLY, I, 4 (December, 1886), pp. 612 *et seq.*

pendent publication. The first thing which strikes the reviewer is the size of the work. The three hundred and fifty-two pages cover but two years and a fraction, from December, 1856, to March, 1859, and include but two great events, the Dred Scott decision and the Lecompton constitution. Written upon a similar scale, a history of the Union would occupy forty volumes. The whole extent of the six volumes is upwards of thirty-one hundred pages; by a mysterious law of increasing returns, the work expands at the latter end till it is out of proportion. The number of persons who have ever read three thousand pages of grave matter on all subjects put together is limited; and the size and cost of von Holst's history are serious drawbacks to its usefulness. The author's defence is that he has omitted ten times as much as he has inserted; that he is the pioneer in a field hitherto unworked; and that his history is intended for those who will give it time and study. The justification for voluminous works must always be the belief that they will permanently affect the popular conception of the period considered; a briefer treatment might in this case produce a greater effect.

Like its predecessors, Volume VI is well furnished with footnotes. The author has declared that he is obliged to append a panoply of notes because he is breaking ground and because his conclusions are so often contrary to the ordinarily received views of United States history that, for the protection of his own reputation, he is called upon to place his authorities before the eyes of his readers. The quotations are, on the whole, briefer than in the previous volumes. For his numerous and precise references the thanks of scholars are due to Professor von Holst: he has set the example of a scientific method; he has left a guide for later scholars; he has fearlessly made public the grounds for his conclusions. Another student, examining his references, may hold that they do not always bear him out; but the author by his citations invites examination, and stands ready to meet his critics.

In this volume, as in the others, the work is not, and does not aim to be, a complete history. Those events which do not bear upon the advance of the slavery contest are left undescribed, or are simply mentioned. This lack is characteristic

of the whole history. The style is allusive. Read by itself, without a previous knowledge of political details, the volume would leave upon the mind a disjointed and incomplete effect. The narrative is compressed and uneven. The sixth volume, like the first, is rather a series of closely connected essays on constitutional topics than a consecutive history. The discussions of the Mormon question, of the debates on the Lecompton constitution, are both admirable; but the background of general political movement is wanting. The author might reply that narrative history could be written by many other hands; that he alone had undertaken the labor of a search into constitutional cause and effect. But in his anxiety to set forth clearly and distinctly the constitutional elements of the struggle over slavery he has destroyed the impression of continuity which he is most anxious to leave upon his reader. It is for this reason even more than because of the length of the work that von Holst's reputation as a writer for Americans in general must depend on his *Staatsrecht* and his *Calhoun*, and still more on his projected brief history; the constitutional history must remain a guide for the constitutional student.

Another fault of style is the complexity of construction and profusion of metaphor, which are perhaps somewhat increased in some passages by the process of translation. Take an example at random, page 133:

And if all this was already determined by the political nature of Mormonism, the same was true, in a still higher degree, of the social institution, which, partly on account of its exclusiveness—that is, its absolute irreconcilability with the ethico-moral convictions and with the fundamental principles of legal life of the rest of the people—tended more and more to become its principal pillar, although it was only a supplementary appendage to the original body of doctrine.

It is a striking fact that the author's own English style in the *Calhoun* is less involved and abstruse than that of his translator, Mr. Lalor. In common with the whole series, Volume VI is deficient in those conveniences which cost an author little labor and which double the value of his work to the reader. The first two volumes had no other guide to the text than a list

of half a dozen chapters ; later volumes contain an ill-arranged table of contents. No head-dates are inserted in the running headings—an omission which causes peculiar vexation in a work so far from chronological ; and no volume has an index. The author promises an index to the whole at the end of the work ; till that time the reader who wishes to find again some of the phrases which most attract him has no shorter way than to turn the leaves.

The characteristics thus far discussed are important, but the value of the work must be determined from deeper considerations. Volume VI has all the peculiar qualities which make von Holst's works stand out from all other histories of the United States. The volume is, even more than earlier ones, based on the debates and documents of Congress : it is in considerable part a legislative history. As a statement of facts, as an evidence of the movement of public opinion, the speeches in the *Congressional Globe* are valuable : the author is perhaps too prone to look upon them as final. He has sometimes been accused of too facile an acceptance of untrustworthy authorities. Some years ago a very eminent Massachusetts statesman accused him of undue dependence on Joshua R. Giddings and John Quincy Adams. An examination of von Holst's foot-notes showed that he had cautioned his readers against Giddings, and had quoted Adams chiefly for statements of fact. With due allowance for difference of judgment or for errors in judgment, the author discriminates between his authorities and depends upon sources as none of his predecessors has done.

Whatever criticism may be made upon the details of the author's method, no one can deny the force and interest of his works. Volume VI bears throughout the mark of a strong mind, well convinced of its own conclusions. The tone of the writer is always positive and sometimes dogmatic. For this characteristic there are two reasons : von Holst feels a pardonable pride in the possession of a large body of facts hitherto almost unworked by a philosophical writer ; and he sees what he does see with such clearness that he is impatient alike of the characters who misbehave and of men of a later generation who admire them.

Yet it is this impatience with characters whom he considers unworthy that has enabled him to break down some of the best developed political myths in United States history. He has attempted little with regard to Jefferson: the task of analyzing that unequally great man has been left for Henry Adams. But the chapter in the second volume on "The Reign of Jackson" must in the end aid to destroy the unreasoning admiration of that President which has lasted down to the present day. Polk and Pierce have received a like castigation in later volumes: it is in this volume the turn of Douglas and Buchanan. The hearty, unconcealed contempt for men who have no political principle except to be on the winning side is ingrained in the author: it appears in his vigorous accusation of all "Northern men with Southern principles" and especially of Douglas. For men like Calhoun, champions of their own institutions, he has respect; for Douglas he has so little that he gives him no credit even for his undoubted lively national feeling. Like all writers of the present day, von Holst cannot picture to his mind a state of political feeling in which the majority of voters, North as well as South, shared Douglas's indifference as to whether slavery were "voted up or voted down." He seems to single Douglas out for castigation from among the whole group of politicians, but he disentangles in this volume the complications of the man's character and his lack of moral principle. He shows how inevitable was the disruption of the Democratic party, and how irresistibly yet unwillingly Douglas was compelled to abjure the Lecompton constitution and thus to give up all hold on the Southern Democrats, in order to maintain his control of the Northern Democrats.

Until the appearance of this volume the part of Buchanan in the first three years of his administration had never been clearly understood. We now see the elements which prepared the way for his abject downfall in 1860-61. He had undertaken to unite his party by yielding Kansas to the Southern wing, and he was unable to deliver the goods; he set himself against the sense of fair play of the nation, and he was overwhelmed. Here is von Holst's estimate of him:

[He was] much inclined to purchase freedom from trouble, care and danger, at a high price. But, at the same time, his vanity was great enough, notwithstanding all this, to play for the highest prize, and his vain self-reliance could not but grow, through his great degree of weakness, to senescent wilfulness, and this all the more the deeper he was dragged into the whirlpool of the conflict of over-powerful actual events, promoted as much by his marrowlessness as by his blind self-reliance. Weakness, self-overestimation and wilfulness—a more disastrous combination of qualities could, under existing circumstances, be scarcely imagined.

Von Holst is no hero-worshipper. He has once said that if the angel Gabriel had come down to lead the colonies through the Revolution and into a successful federation, there would have been no credit for the Americans: the wonderful thing was that mortal men with human characters and failings accomplished so great a work. It is this wholesome attitude of criticism, of taking great Americans for what they were and did, and not for what they were supposed superhumanly to have done, which has probably caused some assertions that von Holst is unfriendly to American institutions. On the contrary, in his own country he is accused of an undue appreciation of and fondness for the United States. That the habit of philosophic examination of character does not prevent admiration for great men, is shown by his clear and sympathetic account of Lincoln's attitude on the slavery question and of his debate with Douglas. He recognizes in him the prophet of the epoch, the one man who could clearly see and express the inevitableness of the division over slavery. It is a tribute to the man who is more and more recognized as one of the two greatest Americans—and not the lesser.

The volume is by no means biographical; and the central and dominant idea is, as in others of the series, the essential contradiction of free institutions and slavery—the necessity that the Union should be all free or all slave. The thought is not original with von Holst; but he has so urged it and insisted upon it, that the idea is entering text-books and infiltrating into the schools. Like all dominant ideas, it often carries him too far. However true it may be that slavery affected all other

questions, and was itself the great and insoluble question, tariffs, land-grants, homestead bills and other measures were carried through on other grounds, and they also are evidences of development. As in the other volumes, there is one chapter devoted especially to the discussion of the elements of the slavery struggle and the differences between the North and the South. The political history may be and probably will be worked over hereafter by other hands in briefer and more direct form; these chapters will remain the standard authority upon the political results of slavery. The weakening influence of slavery was seen in its fall; the causes of that weakening influence are here set forth in permanent form. The author has a strong bias: he thinks slavery wrong and sympathizes with its opponents; he exults not only in the triumphs of the champions of freedom, but also over the mistakes and errors of the friends of slavery. This bias is very distinctly traceable in his rhetorical indictment of the Dred Scott decision:

How could the opposition fail to look upon the judgment, legally as an invalid usurpation and as a perversion of the law, never to be recognized, politically as an absurd and bold assumption, and morally as an unparalleled prostitution of the judicial ermine?

It is impossible for any man to discuss the slavery question without bias: von Holst does not write judicially, but he does write in sympathy with the spirit of the American people. The fact that he is a foreigner and of foreign parents may perhaps prevent him from appreciating the difficulties through which the slavery question was worked out. In his effort to judge American statesmen as they were, he may sometimes apply to them the standard of a later age than their own. But the chief aim of the present volume is to trace the progress of that which we recognize now as the true and free spirit of America; and the book is one to make Americans more proud of a nation which has had the moral force to free itself of an immoral institution.

ALBERT BUSHNELL HART.